



# MINUTES

## County Council Meeting

**July 20, 2015**

Spartanburg County Council met on Monday, July 20, 2015, in the County Council Chambers, 366 N. Church Street, Spartanburg, SC, at 5:30 p.m. The following attended: Honorable Jeff Horton, Chairman; Honorables Michael Brown, Justin Bradley, David Britt, Jane Hall, Bob Walker, and Roger Nutt, Council Members; along with Katherine O'Neill, County Administrator; Jim Hipp, Deputy County Administrator; John Harris, Senior Deputy County Attorney; and Ginny Dupont, Deputy County Attorney.

In compliance with the Freedom of Information Act, notice of this meeting was provided in advance to the local news media and other interested parties.

I.

Chairman Horton called the meeting.

Invocation was rendered by Chaplain Amos Durham. Honorable Jane Hall led in reciting the Pledge of Allegiance.

II.

No presentations were scheduled.

III.

Ms. O'Neill recognized and thanked Dorothy Earle, Tracy Willingham, Shirley Ford, Melissa Griffin, Deidra Wines, and Marion Weeks from the Register of Deeds Department and Kim Danner, Mark Cash, Jessica Gilliland, Wyatt Shennan, Ridge Praytor and Eddie Bradley from the Information Technologies Department for their contributions to the success of the new software program "The Registry" which went live in the Register of Deeds Office on June 15, 2015.

IV.

- A. Chairman Horton declared open a public hearing to consider an Ordinance authorizing and approving (1) development of a Joint County Industrial and Business Park pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended, in conjunction with Cherokee County (the "Park"), such park to be, at the time of its initial development, geographically located in Cherokee County and to include certain property owned and/or operated by the **Timken Company**, a company previously identified as Project Paper or one of more of its affiliates or other related companies; (2) the execution and delivery of a written park agreement with Cherokee County as to the requirement of payments of fee in lieu of *ad valorem* taxes with respect to park property and the sharing of the revenues and expenses of the park; (3) the distribution of revenues from the park within Spartanburg County; and (4) other matters related thereto. No one appeared, and the matter was closed.
- B. Chairman Horton declared open a public hearing to consider an Ordinance to amend the agreement for development for Joint County Industrial Park by and between Spartanburg County and Cherokee County, South Carolina, so as to include additional property in Spartanburg County as part of the Joint County Industrial Park, and other matters relating thereto. (**Berrang, Inc.; Mairec Precious Metals U.S., Inc.; and Rite Aid of Georgia, Inc. and Flatwood Farms I, LLC**) No one appeared, and the matter was closed.
- C. Chairman Horton declared open a public hearing to consider an Uncodified Ordinance to grant a Right-Of-Way Easement for installing utilities at Holston Creek Park to Duke Energy Carolinas. No one appeared, and the matter was closed.
- D. Chairman Horton declared open a public hearing to consider an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Greer Dragway** from 4:00 p.m. until midnight on Saturday, August 8, 2015 and Saturday, August 22, 2015 for a drag race at 1792 Dragway Road, Greer. No one appeared, and the matter was closed.

V.

**Economic Recruitment and Development Committee** – (Honorable David Britt, Chairman)

- A. Mr. Jim Stritzinger, Executive Director, Connect South Carolina, Mr. Allen Smith, President, Spartanburg Chamber of Commerce; and Dr. Ron Garner, School District One Superintendent, presented information in reference to "Connected Spartanburg." (Presentation included in backup) A letter will be sent over for Council to sign as a show of support.
- B. Motion made by Mr. Britt to adopt a Resolution authorizing, under certain conditions, the execution and delivery by Spartanburg County, South Carolina of an Inducement Agreement with **Apollo 17, LLC** with respect to an industrial

project in the County whereby the project would be subject to payment of certain fees in lieu of taxes; and whereby Apollo 17, LLC will be provided certain credits against fee payments in reimbursement of investment in related qualified infrastructure, and providing for related matters. Motion seconded by Mr. Brown and carried.

- C. Motion made by Mr. Britt to render first reading to an Ordinance authorizing the execution and delivery of a Fee in Lieu of Tax Agreement by and between Spartanburg County, South Carolina and **Apollo 17, LLC** with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes, including the provision of certain special source credits; and other matters related thereto. Motion seconded by Mr. Nutt and carried.
- D. Motion made by Mr. Britt to adopt a Resolution authorizing the execution and delivery of an Inducement and Millage Rate Agreement by and between Spartanburg County, South Carolina and **Project EMU**, whereby under certain conditions, Spartanburg County will execute a fee in lieu of tax agreement for a project involving not less than ten million dollars (\$10,000,000) investment and Spartanburg County will provide special source tax credits. Motion seconded by Mr. Brown and carried.
- E. Motion made by Mr. Britt to adopt a Resolution authorizing, under certain conditions, the execution and delivery by Spartanburg County, South Carolina of a Fee in Lieu of Taxes Agreement with **Georgia-Pacific Corrugated LLC** with respect to an industrial project in the County whereby the project would be subject to payment of certain fees in lieu of taxes; and providing for related matters. Motion seconded by Mr. Brown and carried.
- F. Motion made by Mr. Britt to render first reading to an Ordinance authorizing the execution and delivery of a Fee in Lieu of Tax Agreement by and between Spartanburg County, South Carolina and **Georgia-Pacific Corrugated LLC** with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes; and other matters related thereto. Motion seconded by Mr. Nutt and carried.

**Public Health and Human Services Committee** (Honorable Justin Bradley, Chairman)

No items scheduled.

**Personnel and Finance Committee** (Honorable Bob Walker, Chairman)

- A. Mr. Walker presented information in reference to outstanding Accommodations Tax Advisory Committee Recommendations for Fiscal Year 2016. The Accommodations Tax Advisory Committee recommended giving \$25,000 to The Shrine Bowl; \$1,500 to Stone Soup Storytelling; and \$28,500 to the Spartanburg Convention & Visitors Bureau (CVB). Motion made by Mr. Walker to approve this recommendation. Motion seconded by Ms. Hall and carried.
- B. Ms. O'Neill presented information to the Personnel and Finance Committee in reference to an Ordinance governing the establishment of an Employee

Grievance Committee and appointment of members to such committee. Motion made by Mr. Walker to render first reading to Ordinance. Motion seconded by Ms. Hall and carried.

- C. Updated financial data and personnel vacancy reports were received.

**Livability Committee** – (Honorable Jane Hall, Chairman)

- A. Mr. Jim Campbell, Interim Director, Parks Department, presented information in reference to an amendment to the preliminary plan for the renovation of Chesnee Park. Motion made by Ms. Hall to adopt a Resolution to amend the preliminary plan for the renovation of Chesnee Park in order to reduce the project cost and to increase the park's functionality. Motion seconded by Mr. Britt and carried.
- B. Information received regarding activities of the Parks Department.

**Public Safety and Judiciary Committee** – (Honorable Michael Brown, Chairman)

- A. Captain Raymond Gist, Sheriff's Office, presented information in reference to a Resolution ratifying a Mutual Aid Agreement between the Spartanburg County Sheriff's Office and the Lexington County Sheriff's Office. Motion made by Mr. Brown to approve the Mutual Aid Agreement. Motion seconded by Mr. Britt and carried.
- B. Mr. Jim Hipp, Deputy County Administrator, presented information in reference to an Uncodified Ordinance to grant a Utility Easement to Duke Energy Carolinas LLC to extend existing lighting and power service to serve additional facilities associated with the Spartanburg County Emergency Services Academy. Motion made by Mr. Brown to render first reading to the Ordinance. Motion seconded by Ms. Hall and carried.
- C. Updated information received regarding activities of Building Codes Department.

**Land Use Committee** (Honorable Jeff Horton, Chairman)

- A. Updated Planning Department Reports on Development Activity were received.

**Public Works, Buildings and Grounds Committee** (Honorable Roger Nutt, Chairman)

- A. Mr. Jim Hipp, Deputy County Administrator, presented information in reference to a request for funding of \$60,000 from the Steve Belue Fund. Motion made by Mr. Nutt to approve request. Motion seconded by Mr. Britt and carried.
- B. Updated information received regarding activities of the Public Works Department.

VI.

Ms. Mary Deku, Juneteenth Committee, appeared to thank Council for their support of the Juneteenth Celebration. Mr. Walter McSherry, 108 Idlewylde Court, appeared in

reference to a Committee appointed to study the discharging of firearms in neighborhoods. Mr. Charles Wyatt, 518 Chippendale Lane, Boiling Springs, appeared in reference to Noise Ordinance concerns. Chairman Horton closed the Public Comment Period.

VII.

- A. Motion made by Mr. Britt to render third reading to an Ordinance authorizing pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee agreement between Spartanburg County, South Carolina, **Rite Aid of Georgia, Inc. and Flatwood Farms I, LLC**; the application of an infrastructure credit to fee-in-lieu of tax payments; and matters relating thereto. Motion seconded by Mr. Nutt and carried.
- B. Motion made by Mr. Britt to render third reading to an Ordinance authorizing the execution and delivery of a Special Source Credit Agreement between Spartanburg County, South Carolina and **Berrang, Inc.**; and other matters relating thereto including, without limitation, authorization of a Special Source Credit. Motion seconded by Mr. Nutt and carried.
- C. Motion made by Mr. Britt to render third reading to an Ordinance authorizing the execution and delivery of a FILOT (Fee In Lieu Of Tax Agreement) by and between Spartanburg County, South Carolina and **(Mairec Precious Metals U.S., Inc. (Project Kickoff))** with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes, including the provision of certain Special Source Credits; and other matters related thereto. Motion seconded by Mr. Brown and carried.
- D. Motion made by Mr. Britt to render second reading to an Ordinance authorizing and approving (1) development of a Joint County Industrial and Business Park pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended, in conjunction with Cherokee County (the "Park"), such park to be, at the time of its initial development, geographically located in Cherokee County and to include certain property owned and/or operated by the **Timken Company**, a company previously identified as Project Paper or one of more of its affiliates or other related companies; (2) the execution and delivery of a written park agreement with Cherokee County as to the requirement of payments of fee in lieu of *ad valorem* taxes with respect to park property and the sharing of the revenues and expenses of the park; (3) the distribution of revenues from the park within Spartanburg County; and (4) other matters related thereto. Motion seconded by Mr. Brown and carried.
- E. Motion made by Mr. Britt to render second reading to an Ordinance to amend the agreement for development for Joint County Industrial Park by and between Spartanburg County and Cherokee County, South Carolina, so as to include additional property in Spartanburg County as part of the Joint County Industrial Park, and other matters relating thereto. **(Berrang, Inc.; Mairec Precious Metals U.S., Inc.; and Rite Aid of Georgia, Inc. and Flatwood Farms I, LLC)** Motion seconded by Mr. Brown and carried.

- F. Motion made by Mr. Britt to render second reading to an Uncodified Ordinance to grant a Right-Of-Way Easement for installing utilities at Holston Creek Park to Duke Energy Carolinas. Motion seconded by Mr. Brown and carried.

XIII.

- A. Motion made by Mr. Britt to approve an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Greer Dragway** from 4:00 p.m. until midnight on Saturday, August 8, 2015 and Saturday, August 22, 2015 for a drag race at 1792 Dragway Road, Greer. Motion seconded by Mr. Walker and carried.

IX.

All resolutions, ordinances, agreements, petitions and related documents which were read and approved by Council at this meeting for the financing of certain industrial or similar revenue bonds or notes, are incorporated in these minutes by reference as if fully set forth herein. The reference is to all such documents showing execution by the county on the date of this meeting included in the office of the Clerk of Court for Spartanburg County.

X.

- A. The following Budget Amendment Resolutions were provided to County Council. Budget Amendment Resolution Number 16003 authorizes an increase to the County Fleet by one vehicle for the Traffic Division in the Sheriff's Office. Budget Amendment Resolution Number 16004 allows for the closure of completed C-Fund projects. Budget Amendment Resolution Number 16005 authorizes the acceptance of the Used Oil Recycling Grant and sets up revenue and expenditure budgets for the grant. Budget Amendment Resolution Number 16006 authorizes the acceptance of the Waste Tire Recycling Grant and sets up revenue and expenditure budgets for the grant. Budget Amendment Resolution Number 16007 authorizes the acceptance of the FY 2015 Local Emergency Management Performance Grant (LEMPG). Budget Amendment Resolution Number 16008 amends Parks CIP Project Budgets. Budget Amendment Resolution Number 16009 amends the FY 2015/16 Adopted Operating Budget Ordinance, O-15-06, Section 6: Fire Service Areas Tax Levy, by removing the 10.3 mil levy for Landrum.

Motion made by Mr. Britt to approve the Budget Amendment Resolutions provided to Council. Motion seconded by Mr. Bradley and carried.

XI.

Motion made by Mr. Walker to approve the minutes of June 15, 2015 (Regular Meeting). Motion seconded by Mr. Britt and carried. Motion made by Mr. Britt to approve the minutes of June 29, 2015 (Special Meeting). Motion seconded by Mr. Bradley and carried.

XII.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By:   
Jeffrey A. Horton, Chairman

Attest:

  
Deborah C. Ziegler  
Clerk to Council